

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. LEWIS E. BRADEN <i>vs. Bond</i>	<i>For U. S.:</i> Hubert H. Bryant <i>For Defendant:</i> <i>542-2860</i> H. G. E. Beauchamp (ret.) Box 230 Miami, Okla. 74354

Deft. Add.
104 North Walnut
Afton, Ok 74331
(918-257-5149)

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed <i>12-1-74</i>	Clerk					
J.S. 3 mailed <i>3-1-75</i>	Marshal					
Violation Embezzlement of U. S. Property Title 18	Docket fee					
Sec. 641						
1 count (\$10,000 and/or 10 yrs.)						

DATE	PROCEEDINGS
11-26-74	Record vote of grand jury, filed in open court. rm
11-26-74	Indictment, filed in open court. rm
11-27-74	Warrant of arrest issued. rm
12-5-74	Case set for arraignment & Plea on 12-10-74, at 10:00 A.M. (AEB-J) b nts.
12-9-74	Appearance Bond of Deft. Braden in amount of \$5,000.00, 10% cash deposit, mld filed with Order Specifying Methods & Conditions of Release. (CSB-USMag)v
12-9-74	Warrant for Arrest, ret. & filed: deft. arrested at Afton, Ok., 12-3-74; bond fixed at \$5000 by Mag. Burns. g
12-10-74	Case called for arraignment & plea. Deft. present & represented. Gov't. represented. Deft. advised of charge & acknowledges receipt of indictment. Deft. arraigned & enters plea of NOT GUILTY. Case to be set on next jury docket. Deft. to remain on present bond. Deft. given ten (10) days to file motions. (AEB-J)k
12-9-74	Return on Temporary commitment, filed. Executed by committing deft. to The Tulsa County Jail on 12-3-74. k
12-23-74	Motion of def. for bill of particulars, filed. rm
12-23-74	Authorities in support of mo/bill of particulars, filed. rm

DATE	PROCEEDINGS
1-2-75	Appl. of deft. to withdraw mot. for bill of particulars, filed. g
1-6-75	Order, filed, allowing deft. to withdraw his application for Bill of Particulars. (AEB-J)g
1-8-75	Case set for jury trial 1-27-75 at 9:30 a.m. (AEB-J)hm
1-27-75	Case transferred to Judge H. Dale Cook. (AEB-J)hm
1-27-75	Case called for jury trial. Govt. represented; deft. present & represented. Parties announce ready. Jury empaneled and admonished, & excused until 9:30 a.m. 1-28-75. (HDC-J)hm
1-28-75	Case tried to a jury Jan. 27, 28 & 29, 1975. Deft's requested instructions filed in open court 1-28-75. Deft. present and represented; govt. represented. Parties announce ready. Rule invoked. Opening statements made. Pltff. presents case in chief with testimony of witnesses. Pltff's exhibits 1 thru 9 admitted. Pltff. rests. Deft's motion for judgment of acquittal denied. Deft. presents case in chief with testimony of witnesses. Deft's exhibits 2 thru 5 admitted. Deft. rests. Pltff. presents rebuttal evidence w/test. of witness and rests. Parties rest. Deft's motion for directed verdict overruled. Closing arguments made. Instructions given to Jury. Bailiff sworn. Jury retires to deliberate at 2:27 p.m. on 1-29-75. (3:56 p.m.) Jury returns to courtroom with note requesting test. of defense witnesses, Arthur Highland & Wilma Maxine Beede, be reread. Court so grants & said test. read by court reporter. (4:37 p.m.) Jury retires to continue deliberating. Court orders note filed in open court. (5:40 p.m. Jury returns w/verdict finding deft. GUILTY. Verdict ordered received, read & filed in open court. Jury discharged. Deft. allowed to stand on present bond & case set for sentence on 2-18-75 at 10:00 a.m. Court allows copies of certain exhibits to be substituted for originals. (5:50 p.m.) Court adjourned. (HDC-J)hm
1-28-75	Deft's requested instructions, filed in open court. hm
1-29-75	Two notes from Foreman of Jury, filed in open court. hm
1-29-75	Court's instructions to the jury, filed in open court. hm
1-29-75	Verdict, finding the deft. GUILTY, filed in open court. hm
1-29-75	Trial exhibits, filed. hm
2-18-75	Case called for sentence. Deft. present and represented; govt. represented. Deft. & counsel asked if they have anything to say before sentence is pronounced.
	Judgment and Sentence - Lewis E. Braden (Age 44)
	Imposition of sentence is hereby suspended and the deft. is placed on probation for a period of Three (3) Years from this date.
	Deft. advised of right to appeal. (HDC-J)hm
2-18-75	Judgment and probation order, filed and entered. (HDC-J)hm
2-18-75	Two c/c of J&PO delivered to Prob. office. hm
2-18-75	Order exonerating cash bond, filed. (HDC-J)hm

UNITED STATES MAGISTRATE
NORTHERN _____ **DISTRICT OF** **OKLAHOMA** _____

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE Claudine S. Barnes
 (Name of Magistrate)

U. S. Court House, Tulsa, Oklahoma
 (Address)

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

Magistrate's
 Docket No. 74, Case No. 196M
UNITED STATES OF AMERICA,
LEWIS E. BRADEN ^{vs.}

INDICTMENT - 74-CR-130

 (Nature of proceeding)

DATE	
12/5/74	Defendant appeared before the undersigned Magistrate in person
	and by retained counsel, H. G. E. Beauchamp of Miami, Oklahoma.
	The Government was represented by Hubert H. Bryant, Ass't. U. S.
	Attorney. Upon the concurrence of Hubert H. Bryant, Ass't. U. S.
	Attorney in defendant's request for reduction of bond, The
	Honorable Allen E. Barrow, Chief Judge, United States District
	Court for the Northern District of Oklahoma authorized bail
	reduced to \$5,000 - 10% cash deposit. Upon execution of said bond,
	defendant was released from custody.

[illegible]

Dated December 5, 1974

Claudine S. Barnes
United States Magistrate

UNITED STATES MAGISTRATE

NORTHERN

DISTRICT OF

OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

74-CR-130

BEFORE

Charles F. Burns

(Name of magistrate)

Miami, Oklahoma

(Address)

MAGISTRATE'S
DOCKET NO. 1 CASE NO. 277
THE UNITED STATES
vs.

Lewis E Braden

Indictment

Complaint filed on Nov 27, 1974, by U S Attorney
Official title Herbert H Bryant, Asst, charging violation of
United States Code, Title 18, Section 641, on 7-26-74
19, at ----- in the Northern
division of the Miami, Okla / Northern district of Oklahoma

as follows: "The Grand Jury Charges: On or about July 26
1974 in Northern District of Oklahoma, Lewis E Braden
willfully and knowingly did secure, conceal and retain
stolen property of the United States, that is, a 1970
Ford Pickup Truck, of a value in excess of one hundred
Dollars with intent to convert said property to his own
use; Lewis E Braden then knowing said property to have
been stolen, in violation of Title 18 Section 641 United
States Code

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Nov 27, 1974 Warrant/Summons for Lewis E Braden

(Name of defendant)

to (name and title of officer) U S Marshal etc

Substance of return Arrested at Miami, Okla., Dec 3, 1974

Date ----- Warrant/Summons for -----

to (name and title of officer) -----

Substance of return -----

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date Dec 3, 1974 Arrested by U S Marshal

on warrant of Clerk of U S District
Court (Name of issuing officer)
without warrant.

Appearances

for United States None

(Name)

(Address)

for accused H.G.E. Beauchamp, attorney, Miami, Okla.

(Name)

(Address)

Proceedings taken Deft., Lewis E. Braden, present in open court with his attorney,

(Here insert, with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"
H. G.E. Beauchamp, Miami, Oklahoma. Deft advised of rights and advised that he was
arrested on a warrant issued by the U S District Court at Tulsa, Oklahoma on a
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"
Indictment of the Grand Jury of Nov 27, 1974, charging him with violation of 18
United States Code, Section 641 as set out in the indictment. Deft given a copy
if that is the fact, any adjournments taken, etc.
of said indictment, signed by Benny H. Crowder, Foreman, Grand Jury, a True Bill
and Herbert H. Bryant, Assistant U. S. Attorney. Deft advised that his bond is
set for \$5,000.00 cash or surety bond and in default of making bond he was remand-
ed to the custody of the U S Marshal for his delivery at Tulsa, Oklahoma for fur-
ther proceedings before the U. S. District Court.

Outcome Bound over to U S District Court at Tulsa, Oklahoma for further proceed-
ings. cash or surety bond

Bail fixed Dec 3, 19 74 Amount, \$ 5000.00/ Bonded -----, 19 -----, by cash
deposited by (name) ----- Address -----
transmitted to clerk of district court -----, 19 ----- [or] by surety
(name) ----- Address -----
(name) ----- Address -----, who
justified by affidavit dated -----, 19 -----, [or] committed to Tulsa, Oklahoma
on December 3, 19 74

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

_____, _____
_____, _____
_____, _____
_____, _____

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Outcome _____
Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 3 day of December, 19 74

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma December 3, 19 74

Charles L. Quinn

United States Magistrate.